

REMARKS

Applicants respond to the Office Action dated August 28, 2009. Claims 1, 6, 10, 11 and 13-28 are pending in this application. Reconsideration of these claims is respectfully requested in view of the remarks below.

Claims 1, 6, 10, 11 and 13-28 were rejected under the ground of nonstatutory obviousness-type double patenting over claims 1-23 of U.S. Patent No. 6,939,362 to Boyle et al. (the "Boyle patent"), claims 1-30 of U.S. Patent No. 6,551,342 to Shen et al. (the "Shen patent") and claims 1-16 of U.S. Patent No. 6,575,997 to Palmer et al. (the "Palmer patent"). Applicants respectfully point out to the Examiner that the present application is a divisional application of Serial No. 09/919,507 filed on July 31, 2001 which is a continuation-in-part of Serial No. 09/469,431 filed on December 23, 1999. The Boyle patent was filed on November 27, 2001 and does not constitute prior art to the present application. The Shen patent was filed on August 24, 2001 and does not constitute prior art to the present application. Therefore, the Examiner double patenting rejection based on the Boyle patent and the Shen patent is improper. Applicants respectfully request the Examiner to withdraw the rejections based on these two patents.

Applicants have filed a terminal disclaimer with respect to the Palmer patent to obviate the Examiner's rejection. Accordingly, it is believed that the present application is in a condition for allowance.

In view of the foregoing, it is respectively urged that all of the present claims of the application are patentable and in a condition for allowance. The undersigned attorney can be reached at (310) 824-5555 to facilitate prosecution of this application, if necessary.

In light of the above remarks, Applicants respectfully request that a timely Notice of Allowance be issued in this case.

The commissioner is authorized to charge any deficiencies in fees or credit any overpayments to our Deposit Account No. 06-2425.

Respectfully submitted,

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